

The Commission met on **Thursday, May 10, 2012**, with Acting Chair Reha, Commissioners Boyd, O'Brien, and Wergin present.

The following matters were taken up by the Commission:

ENERGY AGENDA

IP-6889/PL-12-250

In the Matter of United Natural Gas, LLC's Petition for Approval of an Information Book, Pursuant to Minn. Statute Section § 216G.04

Commissioner Wergin moved that the Commission approve the Information Book and require incorporation of the revisions to the Permit Requirements section to include the Minnesota Department of Transportation and the TC & W Railroad.

The motion passed, 4-0.

E-002/TL-11-948

In the Matter of the Application of Northern States Power d/b/a Xcel Energy for the Southwest Twin Cities Scott County – Westgate 115 kV Transmission Line Rebuild Project

Commissioner O'Brien moved that the Commission:

1. Accept the Application as complete as of the date of the Commission's Order in this matter;
2. Direct the Applicant to file additional information requested by the Department of Natural Resources;
3. Refer the matter to the Office of Administrative Hearings for a summary proceeding, and:
 - A. Request the OAH to strongly encourage parties and participants to adhere to a schedule which allows the Commission to reach its statutory deadline for a decision on the project;
 - B. Direct PUC staff to contact state agencies on their participation;
 - C. Direct the Department of Commerce EFP staff to submit comments on the merits of the Application and the record, as well as any recommendations(s), draft permit language or specific permit provisions into the record prior to the public and evidentiary hearings. Allow the Department EFP staff to submit additional comments after the public and evidentiary hearing under timelines established by the OAH;
 - D. Direct the OAH to address the following additional merit-related questions:

1. Does a route alternative along Highway 7 in Segments 4-8 of the proposed Project more closely meet the selection criteria established in Minn. Stat. § 216E.03, subd. 7, and Minn. Rules Chapter 7850?
2. Have other issues raised by parties, participants, and the public, that are relevant to the Application been adequately addressed?
4. Appoint a Commission staff person as public advisor.
5. Take no action on an advisory task force at this time.

The motion passed, 4-0.

E-999/M-11-445

In the Matter of the 2011 Minnesota Biennial Transmission Projects Report

Commissioner Wergin moved that the Commission:

1. Accept the 2011 Minnesota Biennial Transmission Projects Report;
2. Take no action at this time with respect to mitigation measures reporting requirements;
3. Grant a variance to the public participation requirements of Minn. Rule 7848.0900 with respect to the 2013 Minnesota Biennial Transmission Projects Report, and require the MTO to improve its transmission planning webpage and provide a separate section in the Report to discuss the MTO's outreach efforts to local governments as suggested by DER.
4. Provide an update on the status of the Corridor project in the 2013 Minnesota Biennial Transmission Projects Report.

The motion passed, 4-0.

TELECOMMUNICATIONS AGENDA

P-6856/M-12-359

In the Matter of T-Mobile Central LLC Petition for Designation as an Eligible Telecommunications Carrier in Minnesota

Commissioner Wergin moved to approve the request of T-Mobile Central LLC (T-Mobile) to expand the service area for which T-Mobile is designated an Eligible Telecommunications Carrier (ETC) in Minnesota, subject to the following conditions:

1. T-Mobile winning support from the Mobility Fund Phase I Auction 901 conducted by the Federal Communication Commission (FCC).

2. T-Mobile filing a detailed description of its expanded service area and a map demonstrating T-Mobile's current coverage in the area.
3. T-Mobile filing an updated informational tariff or customer service agreement, as described in the April 26, 2012 comments of the Minnesota Department of Commerce (the Department), that incorporates the expanded service area and contains the following:
 - a. All rates associated with the universal service offering, including the cost of all equipment and installation charges and all other recurring and non-recurring charges.
 - b. Other services which may be added to the universal service offering.
 - c. All terms and conditions of service associated with its universal service offering.
 - d. The service quality provisions to which T-Mobile has committed.
4. T-Mobile filing a two-year service improvement plan for the areas outside T-Mobile's existing ETC service area.
5. T-Mobile filing a list and description of the facilities used to provide service throughout the expanded service area for which T-Mobile seeks support.
6. T-Mobile filing an updated advertising plan including plans for advertising the availability of the basic universal service offering, Lifeline, and Linkup throughout the expanded service area.

The motion passed 4 – 0.

P-999/M-12-356

In the Matter of Intercarrier Compensation Reform Required by FCC Order

Commissioner Wergin moved to do the following:

1. Allow all local exchange carriers that bill access to file rates and supporting data subject to each carrier's specific regulatory regime, with the expectation that those carriers that have agreed to file earlier will do so.
2. Not require carriers to re-file intercarrier compensation rates for "toll VoIP-PSTN" which were transitioned to interstate access rates effective December 29, 2011. Carriers that have intrastate rates at the interstate rate levels should e-file an informational letter stating that they are in compliance.
3. Direct carriers to provide supporting documentation as follows:
 - a. Carriers that participate in the National Exchange Carrier Association (NECA) tariff may provide the data consistent with the FCC rules on a form different than the FCC form.

- b. Competitive local exchange carriers (CLECs) with single blended interstate and intrastate switched access rates that do not agree to make their supporting information and calculations available to private parties shall provide their supporting information to the Department contemporaneously with their tariff filings, subject to the Minnesota Data Practices Act. Such CLECs will not be required to produce such information to any private party without further Commission order.
 - c. Except as otherwise specified, carriers shall submit all of the data in both the form (includes FCC template) and detail as requested by AT&T Communications of the Midwest, Inc. and TCG Minnesota (AT&T).
 - d. This language does not limit the Department's authority to seek additional information as necessary.
- 4. Require the carriers to file their rates to be effective July 3, 2012 subject to true-up if a complaint, filed by October 31, 2012, results in a finding that a different rate was warranted.
 - 5. Approve AT&T's proposed Protective Order as modified by the Department.

The motion passed 4 – 0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: June 6, 2012



Burl W. Haar, Executive Secretary